

In the Specification:

The specification is amended on page 13. Please replace the paragraph on page 13, starting at line 10, with the amended paragraph attached herewith on a separate sheet. A marked copy showing the amendments to the original paragraph is also attached herewith on a separate sheet.

In the Claims:

Claims 35 and 47 are amended herein. A clean copy showing all of the pending claims is attached herewith. The amendments to claims 35 and 47 have been made in the clean copy. A marked up copy showing the amendments to claims 35 and 37 is attached on a separate sheet.

REMARKS

The Office Action of 12/08/00 has been carefully reviewed and the foregoing amendment has been made in response thereto, thereby defining the present invention more clearly and distinguishing it more positively from the prior art. For these reasons set forth in detail below, favorable reconsideration and early allowance of the claims are courteously requested.

The disclosure is objected to on page 13, line 20. The informality is corrected herein.

Claims 35 and 47 are objected to for typographical and grammatical errors. Appropriate correction is made herein.

Claim 14 is rejected under 35 U.S.C. 102 (e) as being anticipated by Furusawa. Applicants' respectfully submit that the rejection of claim 14 is not clear. In particular, 37 CFR 1.104 (2) states in part,

“ When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.”

Applicants hereby respectfully submit that the rejection of claim 14 under 35 U.S. 102 (e) is not clear because the pertinence of the reference cited is not apparent for

each limitation of claim 14. Applicants further submit that the Finality of the Rejection is premature because the reason for the rejection is not clear. Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claim 14 be reconsidered and withdrawn. Applicants further request that the rejection of claim 14 be clarified.

In particular the Examiner is requested to show the pertinence of the Furusawa reference as it relates to the following partial limitations of claim 14:

- (a) storing a predetermined identifying name of the element and other data relating to the element in a memory module associated with the video camera system;
- (c) scanning the barcode with a barcode scanner associated with the video camera system thereby generating an electrical signal in response to scanning the bar pattern;

interpreting the electrical signal to identify the element to the video camera system

Applicants traverse the rejection of claim 14 on the grounds that claim 14 is patentably distinguishable over the prior art of record. The Examiner states that Furusawa teaches a video presentation system utilizing both a bar code and a video camera in association with the system. Applicants submit that Furusawa shows or describes inventions other than that claimed by the Applicants. Applicants claim 14 is directed to a method for capturing a video image of an element with a video camera system. Applicants claim 14 is in no way directed to a video presentation system.

The Examiner states that according to Furusawa, "A bar code reader 13a reads a bar code, created by preceding computer steps, which is located on a subject on a screen of display unit 12." Applicants respectfully submit that this statement by the Examiner is irrelevant to claim 14, since claim 14 does not include a step for reading a bar code that is located on a subject on a screen. Instead, Applicants claim 14 is directed to, "scanning the barcode with a barcode scanner associated with the video camera system". Applicants can find no such teaching in Furusawa and courteously request that the Examiner point out such a teaching by Furusawa, if it is present.

The Examiner further states that according to Furusawa, “The reader 13a electronically analyzes the bar code to obtain an identifier code (name) and transmits the identifier as a signal to a CPU 11a (digital processing unit). Utilizing the aforementioned signal, a data area 24 (internal memory module), found in CPU 11a, is then searched to locate data relevant to the identifier (col. 5, line 49 – col. 6, line 11). Applicants submit that this statement by the Examiner relates to Figure 4, in Furusawa, and that Figure 4 depicts a video display device, which includes a bar code scanner. The video display device of Figure 4 is completely different from the video camera system of Applicants claim 14. Applicants can find no teaching in Furusawa for, “storing a predetermined identifying name of the element and other data relating to the element in a memory module associated with the video camera system; scanning the barcode with a barcode scanner associated with the video camera system thereby generating an electrical signal in response to scanning the bar pattern; and, interpreting the electrical signal to identify the element to the video camera system, all required by claim 14. In fact, Applicants find no teaching by Furusawa that any identifying data is stored in the video camera system or that a bar code scanner is associated with a video camera system. Moreover, Furusawa lacks any teaching that the video camera is capable of interpreting a barcode scanner electrical signal to identify the element to the video camera system. Applicants courteously request that the Examiner point out such teachings by Furusawa, if they are present.

The Examiner further states that according to Furusawa, “The data area 24 stores video data for various scenes and character strings and numerical data associated with the video data (including identifying name) (col. 7, lines 20 – 23).” Applicants submit that this statement by the Examiner relates to Figure 6, in Furusawa, and that Figure 6 depicts a video presentation system in which a mouse is employed as identifying recognition means, a display unit 12 displays video data, and a CPU/memory processing unit 11 “solely keeps all data including video data.” (See col. 6, lines 58 – 65.) Applicants submit that this teaching by Furusawa relates to a video presentation system, that Furusawa specifically states that all data is kept solely in the CPU/memory processing unit 11, which is part of the video presentation unit. It is

respectfully submitted that Furusawa never teaches or suggests carrying out any process steps in the video camera system, as required by claim 14.

In response to the Examiners statement in paragraph 5, as it relates to the patentability of all the claims under 35 U.S.C. 103(a), Applicant's have previously submitted in the response dated 9/25/00 that, the subject matter of all of the claims was commonly owned at the time of any invention covered therein.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa. Applicants' respectfully submit that for the reasons stated above the rejection of claim 16 is not clear. Applicants further submit that the Finality of the Rejection of claim 16 is premature because the reason for the rejection is not clear. Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claim 16 be reconsidered and withdrawn. Applicants further request that the rejection of claim 16 be further clarified.

Applicants traverse the rejection of claim 16 on the grounds that the Examiner has failed to establish a *prima facie* case of obviousness, because there is no suggestion in the references, or in the knowledge generally known, to combine the reference teachings, and because the references whether taken alone or in combination fail to teach all of the claimed limitations.

Claim 16 is dependent on claim 14 and further distinguishes over claim 14. For the reasons stated above, Applicants submit that claim 14 is patentable over Furusawa. Accordingly claim 16 is also patentable over Furusawa. Reconsideration and withdrawal of the rejection of claim 16 is hereby requested.

Claims 18, 19, 22, 28 and 38 – 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Wakabayashi et al. Claims 18, 19, 22 and 38 – 40 depend from claim 14, and therefore further distinguish over claim 14. Applicants respectfully submit that for the reasons stated above the rejection of claims 18, 19, 22 and 38 - 40 is not clear. Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claims 18, 19, 22 and 38 - 40 be reconsidered and withdrawn and that the rejection of the claims be further clarified.

Applicants traverse the rejection of claims 18, 19, 22 and 38 - 40 on the grounds that the Examiner has failed to establish a *prima facie* case of obviousness, because there is no suggestion in the references, or in the knowledge generally known, to combine the reference teachings, and because the references whether taken alone or in combination fail to teach all of the claimed limitations.

Claims 18, 19, 22 and 38 - 40 dependent on claim 14 and further distinguish over claim 14. For the reasons stated above, Applicants submit that claim 14 is patentable over Furusawa. Accordingly claims 18, 19, 22 and 38 - 40 are also patentable over Furusawa. Reconsideration and withdrawal of the rejection of claims 18, 19, 22 and 38 - 44 is hereby requested.

Regarding claim 28, this claim is directed to, "a method for performing a videographic survey of a plurality of survey elements." Applicants respectfully submit that the rejection of claim 28 is not clear. . Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claim 28 be reconsidered and withdrawn. Applicants further request that the rejection of claim 28 be further clarified.

In particular the Examiner is respectfully requested to show the pertinence of the Furusawa reference as it relates to the following limitations of claim 28:

- (a) preparing a videographic survey database on a base computer operating a database program for storing and organizing data,
- (b) transferring the separate element record for each element of the survey from the base computer to a memory module associated with a video camera system;
- (d) scanning the barcode associated with the selected one of the survey element with a barcode scanner associated with the video camera system to determine the identifying name of the selected element, thereby identifying the selected element to the video camera system

The rejection of claim 28 is hereby traversed. As stated above in relation to claim 14, the Examiner states that Furusawa teaches a video presentation system utilizing both a bar

code and a video camera in association with the system. Applicants submit that Furusawa fails to teach or suggest each of the limitations of claim 28. Applicants claim 28 is directed to a method for performing a videographic survey of a plurality of survey elements. No such teaching is present in any of the cited references. Moreover, at least the limitations of claim 28, partially listed above are completely missing from any of the references cited by the examiner. Reconsideration and withdrawal of the rejection of claim 28 is hereby respectfully requested.

Claims 35 –37, 41 – 43 and 51 – 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa/Wakabayashi et al., as applied to claim 28 above, and further in view of Beller et al. (US 5,602,377).

With regard to claims 35 and 41, these claims depend from claim 28. Accordingly claims 35 and 41 further distinguish over claim 28. For the reasons stated above in connection with claim 28 the rejection of claims 35 and 41 is hereby traversed. Reconsideration and withdrawal of the rejection of claims 35 and 41 is hereby respectfully requested.

Regarding claims 36, 37, 42, 43, and 51 – 54, these claims are directed to a videographic survey system for capturing an image of a plurality of survey elements. Applicants respectfully submit that for the reasons stated above in connection with claims 14 and 28, the rejection of claims 36, 37, 42, 43 and 51 –54 is not clear. Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claims 36, 37, 42, 43, and 51 – 54 be reconsidered and withdrawn and that the rejection of the claims be further clarified.

In particular, the Examiner is requested to show the pertinence of the Furusawa reference as it relates to the following limitations independent claims 36 and 51:

In claim 36;

- (a) a base computer for preparing a videographic survey database;
- (e) a barcode scanner associated with the video camera system for scanning the barcode label associated with the selected survey element to identify the selected survey element to the video camera system;

- (f) a digital data processor associated with the video camera system for storing the video image of the selected survey element associated therewith.

In claim 51:

- (a) a base computer for operating a master database program;
- (b) a video camera system for capturing the video image of each of a plurality of survey element, the video camera system including a memory device for receiving element records of the master database program from the base computer;
- (c) a barcode interpreting program loaded onto the video camera system

Applicants traverse the rejection of claims 36, 37, 42 and 43 and claims 51 – 54 on the grounds that the Examiner has failed to establish a *prima facie* case of obviousness, because there is no suggestion in the references, or in the knowledge generally known, to combine the reference teachings and because the references whether taken alone or in combination fail to teach all of the claimed limitations.

As stated above in relation to claim 14, the Examiner states that Furusawa teaches a video presentation system utilizing both a bar code and a video camera in association with the system. Applicants submit that Furusawa fails to teach or suggest at least the partial limitations of claims 36 and 54 listed below. Applicants independent claim 36 is directed to, “a videographic survey system for capturing an image of a plurality of survey elements.” Applicants independent claim 51 is directed to, “a system for conducting a videographic survey which requires capturing a video image of each of a plurality of survey elements.” No such teachings are present in Furusawa or any of the cited references.

In claim 36, none of the references cited teaches or suggests:

- (g) a barcode scanner associated with the video camera system for scanning the barcode label associated with the selected survey element to identify the selected survey element to the video camera system; or,
- (h) a digital data processor associated with the video camera system for storing the video image of the selected survey element associated therewith.

In claim 51 none of the references cited teaches or suggests:

- (d) a video camera system for capturing the video image of each of a plurality of survey element, the video camera system including a memory device for receiving element records of the master database program from the base computer;
- (e) a barcode interpreting program loaded onto the video camera system

Regarding Furusawa, Applicants can find no teach that a barcode scanner is associated with the video camera, or that the video camera of Furusawa receives or stores element records in a memory of the camera from a master database. Likewise there is no teaching in Furusawa that a barcode interpreting program is loaded onto the video camera.

The Examiner states that Beller et al. teach a barcode label printer 30 which may convert human-readable character, inputted via key pad 240 or keyboard 342, into a barcode to be printed onto a label 345 and a remote database 18 (base computer) which transmits data to a microprocessor 21 of a barcode scanning and labeling device 10. Again Beller et al. teaches a different invention than the invention claimed by Applicants in claims 36 and 51. Beller et al. teaches a barcode label printer and a remote database but not in combination with a video camera system as required by claims 36 and 51. Applicants submit that none of the references cited by the Examiner, whether taken alone or in combination, teach or suggest all of the limitations of claim 36, 37, 42, 43 and 51 – 54. Moreover, there is nothing in the teachings of the references cited or in the general knowledge to suggest or motivate combining the reference teachings. Reconsideration and withdrawal of the rejection of claims 36, 37, 42, 43 and 51 – 54 is hereby respectfully requested

Claims 44 – 49 are rejected under U.S.C 103(a) as being unpatentable over Furusaw/Wakabayashi et al. as applied to claim 40 above, and further in view of Tung et al. (US 5,903,321). Applicants respectfully submit that for the reasons stated above in connection with claims 14 and 28, the rejection of claims 44 – 49 is not clear. Without further clarification, Applicants are unable to place the claims in proper form for consideration on Appeal. Applicants hereby request that the finality of the rejection of claims 44 – 49 be reconsidered and withdrawn and that the rejection of the

claims be further clarified. Claim 44 is directed to an “integrated video camera system for capturing a video image of a selected videographic survey element having a unique identifying name.” This is completely different than the video display device taught by Furusawa.

In particular the Examiner is respectfully requested to show the pertinence of the Furusawa reference as it relates to the following limitations of claim 44:

- (d) a camera memory module in communication with the digital data processor for storing the unique identifying name of the selected element as well as for providing memory space for storing other data associated with the selected element associated therewith;
- (e) a barcode scanner, in communication with the digit data processor
- (f) a first set of program steps stored on the camera memory module and executable by the digit data processor for interpreting the electrical signal generated by the bar code scanner

Applicants traverse the rejection of claims 44 - 49 on the grounds that the Examiner has failed to establish a *prima facie* case of obviousness, because there is no suggestion in the references, or in the knowledge generally known, to combine the reference teachings and because the references whether taken alone or in combination fail to teach all of the claimed limitations.

As stated above in relation to claim 14, the Examiner states that Furusawa teaches a video presentation system utilizing both a bar code and a video camera in association with the system. Applicants submit that Furusawa fails to teach or suggest each of the limitations of claims 44 - 49. Applicants independent claim 44 is directed to, “an integrated video camera system.” No such teaching is present in Furusaw, or any of the cited references. Claim 44 includes, “a camera memory module in communication with the digital data processor.” Claim 44 also includes, “a barcode scanner, in communication with the digit data processor.” Here the digit data processor is within the video camera system. None of these limitations are not taught or suggested by any

of the references cited. Reconsideration and withdrawal of the rejection of claims 44 – 49 is hereby respectfully requested.

Claims 50 and 55 are rejected under U.S.C. 103 (a) as being unpatentable over Furusawa/Wakabayashi et al./Tung et al. as applied to claim 44 above, and further in view of Dell (US 5,942,753).

Claim 50 depends from claim 44 and further distinguishes over claim 44. For the reasons stated above for claim 44, the rejection of claim 50 is hereby traversed. Reconsideration and withdrawal is hereby respectfully requested.

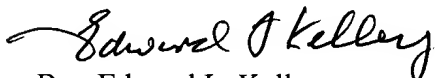
Claim 55 depends from claim 51 and further distinguishes over claim 51. For the reasons stated above for claim 51, the rejection of claim 55 is hereby traversed. Reconsideration and withdrawal are hereby respectfully requested.

The Application stands finally rejected. Applicants have submitted herein that the finality of the rejection is premature because the Examiner has not made the rejections clear. Applicants do not find a teaching of a video camera system as defined by Applicant pending claims in any of the prior art cited. Since the Examiner clearly finds such a teaching or suggestion in the references cited Applicants would like clear explanation of the teachings from the Examiner, perhaps in the form of a personal interview. Meanwhile, no substantive amendments are submitted herein and the rejection of the claims is traversed.

If the Examiner feels that any further discussion of the invention would be helpful, Applicants representative is available at (781) 863-6480 or by email at Kelley.ima@rcn.com and earnestly solicits such discussion.

Respectively submitted,

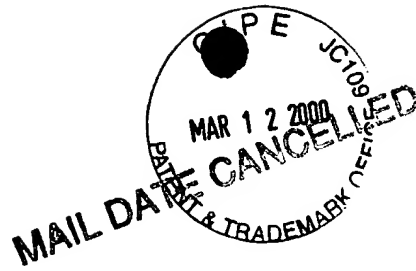
Applicants



By: Edward L. Kelley
Agent for Applicant
Reg. No. 41,112
Invention Management Associates
5 Utica Street
Lexington, MA 02420

Date: 3/7/01

MARK UP of Amended Claims 35 and 47.



35. (TWICE AMENDED) The method according to claim 28 wherein the step of preparing a videographic survey database further comprises the steps of:

- (a) converting the identifying name of the [of] element to a barcode pattern using program steps stored on the base computer; and,
- (b) printing the barcode pattern representing the identifying name of the element onto a barcode label using a printer associated with the base computer.

47. (TWICE AMENDED) An integrated video camera system according to claim 45 wherein the display device is viewable by an operator through [an] a viewfinder eyepiece connected to the camera body.

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In the Specification, on page 20, please replace the paragraph beginning at line 10

with the corrected text below:

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Camera display screen views are illustrated in FIGS. 3A and 3B. In FIG. 3A a single survey element screen 300 is displayed. An image display area 302 displays a live or captured thermographic or visible image of the survey element. An information panel 304 displays data fields relating to the image display area 302, e.g. a recording date and time are constantly displayed in a data fields 314 and 316, an object emissivity in field 318, a camera mode in field 330, a temperature of a selected point of the image area 302 in field 332 and a range of temperatures of the scene displayed in area 302 which is displayed graphically by range indicators 306 and 308. An element identifying field 310 is displayed in a scrolling information window 312. Field 310 contains a unique identifying name, number or other identifying feature associated with the survey element. The identifying name displayed in field 310 is also associated with previously recorded images and/or data sets which relate to the particular survey element being viewed in the image area 302. Such previously recorded images and data which may be stored on the memory mode 30 or on a base computer which will be described below.

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In the Specification, on page ~~20~~, the paragraph beginning at line 10 is marked up with the corrected text below:



Camera display screen views are illustrated in FIGS. 3A and 3B. In FIG. 3A a single survey element screen 300 is displayed. An image display area 302 displays a live or captured thermographic or visible image of the survey element. An information panel 304 displays data fields relating to the image display area 302, e.g. a recording date and time are constantly displayed in a data fields 314 and 316, an object emissivity in field 318, a camera mode in field 330, a temperature of a selected point of the image area 302 in field 332 and a range of temperatures of the scene displayed in area 302 which is displayed graphically by range indicators 306 and 308. An element identifying field 310 is displayed in a scrolling information window 312. Field 310 contains a unique identifying name, number or other identifying feature associated with the survey element. The identifying name displayed in field 310 is also associated with previously recorded images [and or] and/or data sets which relate to the particular survey element being viewed in the image area 302. Such previously recorded images and data which may be stored on the memory mode 30 or on a base computer which will be described below.

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